

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of	)	CASE NO. OSH 2003-3
	)	
DIRECTOR, DEPARTMENT OF LABOR	)	ORDER NO. 36
AND INDUSTRIAL RELATIONS,	)	
	)	PRETRIAL ORDER
Complainant,	)	
	)	
vs.	)	
	)	
SI-NOR, INC.,	)	
	)	
Respondent.	)	

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PRETRIAL ORDER

Pursuant to the representations of counsel for the parties at the initial conference held on March 17, 2003, IT IS HEREBY ORDERED THAT:

1. The issues to be determined are:
  - a. Whether Respondent's notice of contest faxed on December 5, 2002 was timely filed?
  - b. Whether the Citation and Notification of Penalty was properly issued and delivered to Respondent?
  - c. Whether Respondent violated the Hawaii Occupational Safety and Health standards as described in Citation 1, Items 1a and 1b, issued on November 15, 2002?

If so, whether the characterization of "serious" and the proposed penalty of \$1400.00 are appropriate?
  - d. Whether Respondent violated the Hawaii Occupational Safety and Health standards described in Citation 2, Item 1, issued on November 15, 2002.

If so, whether the characterization of "other" and the proposed penalty of \$2100.00 are appropriate?

2. Discovery deadlines are:

Live and unnamed witness  
identification deadline; identification  
of expert witnesses, if any, with  
exchange of expert reports

May 2, 2003

Discovery cut-off

May 19, 2003

3. The deadline for filing dispositive motions is May 27, 2003 and the Board will conduct a hearing on any dispositive motions on June 23, 2003 at 9:30 a.m. in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.
4. Trial is scheduled on July 22, 2003 at 9:30 a.m. in the Board's above-referenced hearing room. The trial shall continue from day to day until completed.
5. Hereafter, this Pretrial Order shall control the course of proceedings and may not be amended except by consent of the parties and the Board, or by order of the Board.

DATED: Honolulu, Hawaii, March 18, 2003.

HAWAII LABOR RELATIONS BOARD

  
BRIAN K. NAKAMURA, Chair

  
CHESTER C. KUNITAKE, Member

  
KATHLEEN RACUYA-MARKRICH, Member

NOTICE TO EMPLOYER

You are required to post a copy of this Order at or near where citations under the Hawaii Occupational Safety and Health Law are posted at least five working days prior to the trial date.

Copies sent to:  
Preston A. Gima, Esq.  
J. Gerard Lam, Deputy Attorney General